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Letter dated 18 April 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

I write with reference to my predecessor's letter of 7 July 2004 (S/2004/555). The Counter-Terrorism Committee has received the attached fourth report from the Libyan Arab Jamahiriya submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex). I should be grateful if you would arrange for the present letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Ellen Margrethe **Løj**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

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Annex

Letter dated 1 April 2005 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Chairman of the Counter-Terrorism Committee

It is my pleasure to refer to the letter of the Vice-Chairman of the Committee dated 4 June 2004, wherein he requests clarifications concerning the contents of the third report of the Libyan Arab Jamahiriya.

In this regard, it is my pleasure to forward to your kind attention responses prepared by the working group emanating from the Libyan National Committee (see enclosure).

(*Signed*) Ahmed A. **Own**
Chargé d'affaires a.i.

Enclosure

[Original: Arabic]

Report of the Great Socialist People's Libyan Arab Jamahiriya containing a reply to the letter of the Chairman of the Counter-Terrorism Committee dated 4 June 2004 relating to certain points contained in the Jamahiriya's third report, submitted to the Counter-Terrorism Committee on 30 July 2003 pursuant to paragraph 6 of Security Council resolution 1373 (2001)

1. Implementation measures

Effectiveness in the protection of financial systems

1.1 Effective implementation of subparagraph 1 (a) of the resolution requires States, inter alia, to have mechanisms in place that oblige banks, financial institutions and other intermediaries to report suspicious transactions to the relevant authorities. The CTC notes that the Libyan Arab Jamahiriya indicated in its first report (at page 5) that a draft law on money-laundering was being formulated. In its second report (at page 1) the Libyan Arab Jamahiriya also indicated that a bill on combating money-laundering had been prepared and steps were being taken for its submission to the Basic People's Congresses in 2002.

Furthermore, the Libyan Arab Jamahiriya stated in its third report (at page 4) that this bill had been submitted to the General People's Congress for submission to the legislature. Up to now, the CTC has no information that the bill has been enacted. The CTC would be grateful to receive an outline of this bill and an indication of when it will become law.

Response

The bill was submitted to the General People's Congress, which passed it as Act No. 2 of 2005 on money-laundering. It went into force on 12 January 2005, the date of its promulgation. The Act provides, inter alia, that funds are considered illegal if they have been obtained as a result of a crime, including the offences provided for in the United Nations Convention against Transnational Organized Crime and the protocols supplementing it, the United Nations Convention against Corruption and other relevant international conventions to which the country is a party. Penal sanctions have been established for financial institutions, inasmuch as article 3 of the Money-Laundering Act provides that the country's economic, commercial and financial institutions are criminally responsible for any money-laundering crime committed on their behalf or for their account. The penalty consists of a fine equal to twice the amount of the funds involved in the crime and the seizure of the funds. In the event of a second offence, the establishment's licence is withdrawn and the establishment is closed.

Article 5 of the Act, which also specifies a number of other penalties, provides as follows:

> I. Any official or employee of an economic, commercial or financial establishment who has knowledge of behaviour, within his establishment, that is connected with the crime of money-laundering and fails to report it to the

competent authority shall be punished by a fine ranging from 1,000 to 10,000 Libyan dinars or imprisonment or both.

II. Anyone who informs any person that his transactions are being reviewed or investigated by the competent authorities owing to suspicions concerning their possible illegality shall be punished by a fine ranging from 500 to 10,000 Libyan dinars or imprisonment or both.

III. Anyone who has knowledge of a money-laundering offence and fails to report it before it is discovered by the competent authorities shall be punished by a fine of from 500 to 10,000 Libyan dinars. The funds involved in the violation shall be seized as a precautionary measure until they are released by order of the Office of the Public Prosecutor, provided that it is not established that they are involved in another offence.

IV. Anyone who, with ill intent and for the purpose of harming another person, denounces to the competent authorities a money-laundering offence in such a way as to permit the taking of any penal measure to ascertain the facts, even if the denunciation is signed with an unknown signature or an assumed name, shall be punished by imprisonment for a period of not less than a year.

V. Anyone who violates any other provision of this Act or of regulations, decrees or circulars issued thereunder shall be punished by imprisonment and a fine of from 500 to 10,000 Libyan dinars.

(Text annexed)

1.2 Effective implementation of subparagraph 1 (b) of the resolution requires States to criminalize the wilful provision or collection of funds with the intention that they are to be used in order to carry out terrorist acts. In response to subparagraph 1 (b) of the resolution, Libya stated in its third report (at page 4) that its existing Penal Code does not cover the collection of funds by an individual, and accordingly the new draft Penal Code specifies that the collection of funds for the purpose of committing terrorist acts shall be regarded as a crime of terrorism whether the perpetrator is an individual or a grouping. The CTC would be grateful to receive an outline of the appropriate provisions of the draft Penal Code and an indication of when it will be enacted.

Response

In view of the size of the new draft Penal Code, the General People's Congress decided to postpone a decision concerning it to the next session, to be held at the end of this year, in order to give the Basic People's Congresses an opportunity for further study and examination of the articles of the draft Code. The Code provides, specifically in article 260, paragraph 10, that the offering, collection or provision of voluntary funds with the intention that they are to be used in order to carry out terrorist acts constitutes a terrorist act that is criminalized by Libyan law and punishable by life imprisonment if the act results in the infliction of harm on persons or in damage to property and by death if the act results in the death of any person. Here the Code makes no distinction between individuals and groups, both being punishable.

(Draft text annexed)

1.3 Effective implementation of subparagraph 1 (c) of the resolution requires States, inter alia, to freeze funds and other assets of persons who commit or attempt to commit terrorist acts. The Libyan Arab Jamahiriya stated in its second report (at page 4) that under the bill on combating money-laundering, the Governor of the Central Bank of Libya would have the power to freeze accounts and funds in addition to executing orders for the seizure or attachment of funds. The CTC would be grateful to receive an outline of the provisions of the bill and a report on the progress made towards its enactment.

Response

The reply to the Committee's questions is provided by article 7 of the recently promulgated Money-Laundering Act, mentioned in the response to subparagraph 1.1. The Act grants the Governor of the Central Bank of Libya the power to freeze, for a period not to exceed one month, the balances in accounts suspected of having a connection with a money-laundering offence. The Chief Public Prosecutor, moreover, may order the preventive seizure of accounts, funds or means suspected of being connected with a money-laundering offence, provided that the period of preventive seizure under the said paragraph shall not exceed three months if the funds in question are in a bank or establishment placed under the supervision of the Central Bank of Libya. Furthermore, the court before which criminal proceedings are instituted for an offence committed within its area of jurisdiction may order the preventive seizure of accounts or funds, provided that the duration of a preventive seizure effected under the relevant paragraph shall not exceed three months if the funds in question are in a bank or establishment placed under the supervision of the Central Bank of Libya.

1.4 The Libyan Arab Jamahiriya further indicated in its third report (at page 5) that it would be possible to seize funds used in terrorist acts when the new draft Penal Code is enacted. The CTC would be grateful to receive an outline of these provisions of the draft Penal Code as well as an indication of when these provisions will be enacted.

Response

As a general rule, funds used in or obtained by means of a crime or the possession of which is considered a crime are confiscated and, with all the more reason, subjected to preventive seizure. The new draft Penal Code, which is still before the General People's Congress, provides an answer to your Committee's query, specifically in its article 124, which provides that the following things shall in all cases be ordered confiscated:

1. Things derived from a crime concerning which a verdict of guilty or judicial pardon has been rendered, provided that the owner thereof is not a person having had no hand in the crime;

2. Things the fabrication, use, carrying, possession or disposal of which is deemed a crime, even if no verdict of guilty has been handed down.

In the case of a verdict of guilty or judicial pardon, the things used or prepared for the commission of the crime may be confiscated provided that the owner thereof is not a person having had no hand in the crime.

In addition, as mentioned above, article 7 of the Money-Laundering Act contains a response to the Committee's questions.

Effectiveness of the counter-terrorism machinery

1.5 Effective implementation of paragraph 2 (a) of the resolution requires States, inter alia, to criminalize recruitment of persons to terrorist groups. The Libyan Arab Jamahiriya, in response to this subparagraph, indicated that article 143 of the new draft Penal Code provides for a term of imprisonment of any person who recruits persons in opposition to a foreign State. The CTC would be grateful to receive an outline of this provision of the draft Penal Code.

Response

In response to your Committee's question concerning paragraph 2 (a), article 143 calls for a prison sentence for anyone who, without permission from the competent authority, recruits persons against a foreign State or commits against such a State other hostile acts likely to expose the Great Jamahiriya to the danger of war.

The penalty is life imprisonment if the act results in the severing of diplomatic relations or hostile acts lead to revenge against the Jamahiriya or its nationals, wherever they may be. If war ensues, the offender shall be punished by death.

(Copy of the text of article 143 annexed)

1.6 In response to subparagraph 2 (e) of the resolution, which requires States to ensure, inter alia, that persons who participate in terrorist activities are brought to justice, the Libyan Arab Jamahiriya, in its third report (at page 9), enumerates several actions that are regarded as hostile acts under the new draft Penal Code. The CTC would be grateful to receive the outlines of these provisions of the draft Penal Code.

Response

The draft Penal Code furnishes an answer to this question. It provides for the criminalization of terrorist (hostile) acts in article 260, with penalties for such acts ranging from a term of imprisonment to life imprisonment to death. The Code defines those acts in 11 paragraphs. It is established by law that the perpetrator of any criminal offence is subject to legal proceedings, i.e., he shall be brought to justice, tried and subsequently sentenced if found guilty of an offence. The following constitute terrorist acts:

1. The use of force or violence, the threatened use thereof or intimidation, resorted to by an offender in order to carry out an individual or group criminal undertaking which jeopardizes the safety and security of society or its individuals; the sowing of terror or fear among its members; or the endangering of their lives, freedoms or security;

2. The hijacking, seizure or taking control of an air, sea or land transport means, the destruction or damaging thereof, the placing of explosives in or on them, any attack against persons in them or the act of exposing them to danger of any nature;

3. The detention or seizure of persons as hostages with a view to influencing the public authorities in the performance of their work or influencing the relatives of the hostages with a view to obtaining any benefit or advantage of any kind;

4. The establishment of an association, band, body or organization which uses terrorism for achieving or carrying out the objectives advocated by it; or the joining or compelling of another to join, or prevention of another from leaving, such a group;

5. Any communication with or action taken with any association, body, organization, group or band having its headquarters abroad or with any person working for any of them for the purpose of carrying out any terrorist act within the country or against its interests, even abroad;

6. Affiliation with any terrorist body, organization or association, however it may be termed, which has its headquarters abroad and espouses terrorism and military training as a means of achieving its ends, even if its activities are not directed against the Great Jamahiriya;

7. The setting or placing of bombs or other explosives or explosive devices for the purpose of killing, causing unrest and chaos or instilling fear in people;

8. The acquisition or possession of weapons and munitions for the purpose of carrying out terrorist acts;

9. The terrorizing of people or institutions by telephone or by means of messages of any nature whatsoever;

10. The collection, provision or voluntary offering of funds for the purpose of their being used for carrying out terrorist acts, even if they are not in fact used for such a purpose;

11. The sending of explosive or other harmful materials to others within or without the country via post or by any other means.

The present article shall not apply to acts carried out in a struggle directed against an occupying or colonizing State for the purpose of achieving independence and the right of self-determination.

(Text of article 260 annexed)

1.7 Effective implementation of subparagraph 2 (e) of the resolution requires States, inter alia, to ensure that persons who commit terrorist acts are prosecuted irrespective of where the terrorist act was committed. The Libyan Arab Jamahiriya indicated in its third report (at page 10) that article 5 of the new draft Penal Code makes provision for trying any person committing a terrorist crime whether such person is an alien or a Libyan, and whether the crime is committed in Libya or abroad. The CTC would be grateful to receive an outline of article 5 of the draft Penal Code and an indication of when it will be enacted.

Response

Article 5 of the new draft Penal Code states that the Code applies to any person who commits an offence, even abroad, whenever the conditions set out in the following paragraphs are met:

I. Anyone who commits, outside the Libyan Arab Jamahiriya, an act that makes him a principal in or accessory to a crime all or part of which occurs in the Jamahiriya;

II. Anyone who commits any of the following offences outside the Libyan Arab Jamahiriya:

1. A felony against the security of the State, as provided in chapters I and II of the present Code;

2. The offences of imitating or using the public seals, as provided in articles 267 and 268 of the present Code;

3. The felony of counterfeiting money, as provided in article 261 of the present Code;

4. Terrorist offences;

III. Any public servant or person entrusted with a public service who, in the performance of his duties or by reason thereof, commits an offence outside the Great Jamahiriya.

It goes without saying that the provisions of article 260 of the same draft Code alluded to above in paragraph 1.6 apply to the perpetrator of such an offence both within the Libyan Arab Jamahiriya and abroad.

1.8 From the second and third reports, it appears that the Libyan Arab Jamahiriya has ratified all 12 relevant international conventions and protocols relating to terrorism. The CTC would be grateful to receive a report on the steps that the Libyan Arab Jamahiriya intends to take in order to incorporate into its domestic law those international conventions and protocols that have not yet been incorporated.

Response

The Great Jamahiriya adheres to the principle that international conventions and protocols take precedence over its domestic legislation. Moreover, the Money-Laundering Act, the Bank Reorganization, Currency and Credit Act and the draft Penal Code include all the provisions contained in the international conventions and protocols on combating terrorism ratified by the Great Jamahiriya.

Effectiveness of Customs, Immigration and Border Control

1.9 Effective implementation of paragraphs 1 and 2 of the resolution requires effective customs and border control to prevent and suppress the financing of terrorist activities. Does the Libyan Arab Jamahiriya impose controls on the cross-border movement of cash, negotiable instruments, precious stones and metals? For example, does the Libyan Arab Jamahiriya impose an obligation to declare or to obtain prior authorization before any such movement takes place? Please provide information concerning monetary thresholds.

Response

Act No. 1 of 2005 on bank reorganization, currency, and credit provides that the customs authority must perform its functions as required by article 50 of the Act, which stipulates that customs officers shall have the authority to exercise the powers conferred on them under the Customs Act.

As to the declaration of goods on entry and exit, including the declaration of currency, article 24 of Act No. 10 of 1981 (Customs Act), as amended, provides as follows:

> For all goods entering or exiting from the Great Jamahiriya, a declaration must be presented to the nearest custom house in accordance with the provisions of the customs regulations and any and all travellers must report to the nearest custom house and provide the information requested of them.

There also exist controls governing the movement of cash and precious stones and metals, inasmuch as the Central Bank of Libya alone is authorized to import raw gold and to control the movement of cash from and to the Libyan Arab Jamahiriya. Indeed, article 2 of General People's Committee for Economy and Trade Decree No. 2 of 2003, on export and import, grants such powers to the Central Bank of Libya alone. Moreover, article 12 of the same Decree prohibits the exportation of scrap iron and copper, aluminium and charcoal waste, which may be imported only through the lawful channels licensed by the General People's Committee for Economy and Trade.

Regarding permissible thresholds, article 14 of the said Decree No. 2 provides as follows:

> With the exception of pharmaceuticals, medical equipment and subsidized supply goods, persons not resident in the Libyan Arab Jamahiriya shall have the right to accompany their baggage consisting of goods and merchandise, including durable goods; persons departing from the Libyan Arab Jamahiriya shall have the right to export the permitted amount of money in foreign currency, provided that the source thereof is the Central Bank of Libya or a bank operating in the Jamahiriya and that this is declared to the customs officials at exit points; and it shall be permitted to bring in any amount of money and any quantity of precious metals, provided that a detailed declaration concerning them is presented to the customs officials at the points of entry to the Libyan Arab Jamahiriya.

Effectiveness of Controls Preventing Access to Weapons by Terrorists

1.10 Effective implementation of paragraph 2 (a) of the resolution requires each Member State, inter alia, to have in place an appropriate mechanism to deny access to weapons by terrorists. With regard to this requirement of the resolution as well as to the provisions of the Convention on the Marking of Plastic Explosives for the purpose of Detection and the International Convention for the Suppression of Terrorist Bombings, would the Libyan Arab Jamahiriya please provide the CTC with information relevant to the following questions:

- What regulations and administrative procedures exist that permit officials of the Libyan Arab Jamahiriya to exercise effective control over firearms, ammunition and explosives in the following areas: production, acquisition, transit, retransfer?
- What national measures exist to prevent the manufacture, stockpiling, transfer and possession of the following items that are unmarked or inadequately marked: small and light weapons; other firearms, their parts and components and ammunition; plastic explosives, other explosives and their precursors?
- Please specify what procedures exist for the exchange of information regarding the sources, routes and methods used by traders in arms, such as the General Company for Safety and Security Products.

- Has the Libyan Arab Jamahiriya's Customs Service implemented intelligence-based risk management on its borders to identify high-risk goods? Please outline the kind of information and data required by Customs Administrations to identify high-risk consignment prior to shipment.

- Has the Libyan Arab Jamahiriya implemented, using risk assessment principles, any special security measures on the import, export and transit of firearms, such as conducting security checks on the temporary storage, warehousing and transport of firearms? Are persons involved in these operations required to undergo security vetting? If yes, please give details.

Subparagraph 2 (a) of the resolution requires each Member State, inter alia, to have in place appropriate mechanism to control and prevent access to weapons by terrorists. With regard to compliance by the Libyan Arab Jamahiriya with international standards to protect and safeguard hazardous materials, such as radiological, chemical, and biological substances and their waste products, the CTC would appreciate receiving an outline of the legal provisions in force in the Libyan Arab Jamahiriya to prevent terrorists from acquiring, by legal or illegal means, radiological, chemical and biological materials, their waste products, as well as chemical and biological weapons.

Response

With regard to existing regulations and procedures that permit officials of the Libyan Arab Jamahiriya to exercise effective control over firearms and ammunition in the areas of production, acquisition, transit and retransfer and national measures to prevent the manufacture, stockpiling, transfer and possession of small and light weapons, other firearms, their parts and components, ammunition and plastic explosives, we should like to draw the Committee's attention to the fact that Libyan law, and more specifically article 2 of the 1981 Weapons, Ammunition and Explosives Act, prohibits the possession of and trade in weapons, ammunition or explosives by any person. Article 3 of the same act provides a penalty of life imprisonment for anyone who possesses, acquires, buys, sells, delivers, transports or offers any weapons, ammunition or explosives for the purpose of trading therein in any manner whatsoever. Under article 1 of Act No. 29 of 1993, on hunting weapons and the related ammunition, moreover, it is prohibited for any person to possess, acquire, manufacture, trade in, import or export hunting weapons of any kind or the related ammunition unless duly licensed to do so.

Article 2 of General People's Committee for Economy and Trade Decree No. 2 of 2003 limits the importation and exportation of security-related goods (i.e., explosives of all kinds, hunting rifles and the related ammunition, smoke grenades, flare grenades, concrete nailers and nail guns and the related loads, fireworks for national and religious occasions) to the General Company for Security Goods. This is the sole entity that undertakes to import security goods, which it does under the supervision of the customs officials from the point of entry to the place of destination of the goods so as to prevent such goods from being surreptitiously introduced into the Jamahiriya or falling into the hands of any person.

In addition, article 2 of the 2005 Law on the Transport of hazardous materials on public roads provides:

No hazardous material shall be transported unless a prior permit has been obtained from the Secretary of the General People's Committee for Public Security or whoever may be designated thereby, specifying the allowable routes and periods of time for the transport of such material.

Article 3 of the same law imposes a number of conditions for the transport of hazardous materials, as follows:

1. The means of transport must be apposite to the nature of the material to be transported;

2. The hazardous materials must be covered with a cover suited to the nature of the material so as to ensure its resistance to natural factors;

3. The transport means must be covered with a fireproof cover resistant to natural factors;

4. The transport means must not carry hazardous materials of more than one type;

5. The driver of the transport means and his assistant must be qualified and capable of engaging in transport without any dangerous accidents;

6. A mark indicating the nature of the material being transported must be placed in an obvious place on the transport means;

7. The transport of hazardous materials must be done under conditions suited to the type and nature of the materials.

With regard to the import, export and transit of firearms, the Transit Department, which is placed under the Customs Authority, is charged with completing the steps to be taken for the transit of goods. These are the same as the procedures for goods imported into the Great Jamahiriya, which involve inspection and non-release of goods that do not satisfy the requirements for release. Furthermore, the owners of such goods are required to submit a customs declaration (detailed declaration) concerning such goods (in transit) before the start of sampling and the completion of the required procedures, as stipulated in article 24 of the Customs Act (act No. 10 of 1981), to which we have referred in our response under paragraph 1.9.

1.11 With regard to the effective implementation of paragraph 2 (a) of the resolution, the Libyan Arab Jamahiriya is requested to present an outline of its mechanisms and procedures regarding the implementation of the legal provisions or controls imposed on: the export of goods; the transfer of technologies; the provision of technical assistance overseas; activities connected with the trade in controlled goods — all in particular regard to denying terrorists access to weapons. The CTC would be grateful if the Libyan Arab Jamahiriya could provide it with statistics on the practical application of legal provisions to prevent terrorists from gaining access to weapons.

Response

Article 10 of General People's Committee for Economy and Trade Decree No. 2 of 1981 provides as follows:

With the exception of scrap iron and copper, aluminium and mineral-coal waste, the export of all local goods and commodities is permitted for trade purposes, subject to the following requirements:

1. That the exportation is carried out by the services legally authorized to engage in export activities or by the producers of the goods being exported;

2. That the requirements established by the Secretary of the General People's Committee for Economy and Trade concerning the conditions of the production or manufacture of each of the goods intended for export are satisfied in terms of quantities produced, time of production and local consumption needs;

3. That the exported goods are furnished against foreign currency convertible within three months of the date of shipment.

Article 16 of the same Decree provides that with regard to new goods, certain quality conditions must be satisfied, as follows:

- Health, veterinary and environmental requirements must be complied with and accepted Libyan or international standard conditions and specifications regarding the quality of the goods must be met;

- The goods must not be proscribed or subject to a ban on importation for any reason whatsoever, nor must their importation be restricted to certain public entities.

1.12 Effective implementation of paragraph 2 (g) of the resolution requires States, inter alia, to have effective border controls. Could the Libyan Arab Jamahiriya outline the procedure that it has in place to provide advance cargo and passenger information to its competent authorities, as well as to those of other States in order to enable authorities to screen for suspected cargo and passengers?

Response

In the report submitted to the CTC on 26 December 2001 we mentioned that new practical measures had been put in place by the Libyan Arab Jamahiriya within the framework of steps to establish effective border controls and that those measures had played a major role in contributing to effective border monitoring and provided the competent authorities with the possibility of close control and supervision over all movements across borders, whether of cargo or passengers. In addition, constant and effective coordination is carried out with the security services concerned with border control and the General Administration of Border-crossing and Exit/Entry Points. The work of the recently established Administration specifically relates, in principle, to border operations involving the circulation of mounted patrols in border regions and the monitoring of access ways leading to exit/entry points with a view to tightening control of roads leading to maritime exit/entry points.

Regarding the provision of advance information to other States and the procedures and measures put in place at borders, we must point out that, as you know, this is something that is subject to the rules established under the agreements which States conclude with one another, within the context of bilateral agreements and also in accordance with the principle of reciprocity. In this regard it should be mentioned that the Libyan Arab Jamahiriya does indeed carry out coordination

procedures with both Egypt and Tunisia, both of which are neighbouring States that have common borders with the Jamahiriya, under administrative agreements on cooperation with those States concerning the measures that may be taken for the control of common borders with them and the monitoring of the movement of goods and individuals across those borders.

Administrative committees on security and administrative committees charged with customs control have actually been set up jointly between the Jamahiriya and those two States. The committees carry out measures aimed at tightening control at border exit/entry points on an ongoing basis and in accordance with what has been agreed on concerning the organization of the working mechanism of those committees.

1.13 The CTC is aware that the Libyan Arab Jamahiriya may have covered some or all of the points in the preceding paragraphs in reports or questionnaires submitted to other organizations involved in monitoring international standards. The CTC would be content to receive a copy of any such report or questionnaire as part of the Libyan Arab Jamahiriya's response to these matters as well as details of any efforts to implement international best practices, codes and standards which are relevant to the implementation of the resolution.

Response

Responses have been prepared for the questionnaires sent out by the Arab Regional Office of the Criminal Police in connection with the implementation of the Arab Counter-Terrorism Strategy. The responses relate to a number of concerned entities and call for coordination among those entities with a view to preparing the necessary responses. They will be forwarded to you subsequently.

2. Assistance and guidance

2.1 The CTC wishes to emphasize once more the importance that it attaches to the provision of assistance and advice in connection with the implementation of the resolution. The Committee is therefore eager to maintain and develop the constructive dialogue that it is already engaged in with the Libyan Arab Jamahiriya in relation to this priority area.

2.2 The CTC notes that the Government of the Libyan Arab Jamahiriya has made a request for technical assistance and advice in connection with the sourcing and procurement of certain counter-terrorism enforcement equipment.

2.3 As regards the Libyan Arab Jamahiriya's request for assistance, the CTC notes that it does not fall within the category of assistance normally facilitated through the CTC, and that it falls within the category of bilateral arrangements between States. The CTC has, however, posted the Libyan Arab Jamahiriya's request on the CTC Assistance Matrix, which is circulated primarily to potential assistance providers for their consideration.

The CTC also urges the Libyan Arab Jamahiriya to identify assistance needed to enhance its counter-terrorism capacity including in immigration, customs and border management control.

Response

(2.1, 2.2, 2.3) In response to the paragraphs relating to assistance and guidance, we wish to inform you that on 13 January 2002 the Libyan Arab Jamahiriya, within the framework of its commitment to the implementation of Security Council resolution 1373 (2001), created counter-terrorism branches at the level of the three main regions of the Libyan Arab Jamahiriya, namely Tripoli, Benghazi and Sabha. The branches are charged with dealing with terrorist crimes in accordance with the terms of reference set out in the decree which created them.

In this regard we propose a possible study of the assistance that your Committee might provide to those branches with regard to any training programmes that might be organized in the future under the Committee's supervision or with its assistance, with a view to raising the level of competence of the persons employed in those branches.